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November 15, 2022

VIA CM/ECF

Hon. Thérèse Wiley Dancks
United States Magistrate Judge
Northern District of New York
Federal Building and U.S. Courthouse
P.O. Box 7346
Syracuse, New York 13261-7346

Re: John Does 1 Through 7, v. The Taliban, Al-Qaeda, and The Haqqani Network, No. 6:22-cv-00990

Dear Judge Dancks:

We write to inform the Court concerning serving notice of the instant proceedings, and to gain pre-approval of certain efforts in that regard.

N.Y. C.P.L.R. § 5225 requires that “notice of the motion” be provided to the judgment debtor. It does not provide what form that notice take. In non-TRIA executions, the garnishee bank would typically provide to its customer a notice similar to Dkt. 18. In this case, undersigned indeed attempted to send Dkt. 18 via registered mail to the Taliban in compliance with Section 5225. However, the registered mail was rejected by the post office, as registered mail service to Afghanistan is not operative.

Undersigned is endeavoring to serve notice to the Taliban via a process server. However, before doing so, Judgment Creditors would like to propose a bespoke Notice of Execution. The exemptions from execution referred to in Dkt. 18 that an individual account holder might hold (as well as other aspects of the notice) simply are not relevant to the terrorist judgment debtor in this case. The Taliban is not the account holder in this TRIA execution, and surely cannot claim any individual exemptions.

We respectfully request entry of a docket text Order/notation order on this letter, approving of the form Notice of Execution Proceedings attached. Once approved, undersigned will have the Notice of Execution Proceedings translated into Pashto for service on the Taliban.

Meanwhile, to inform the Court, as the Bank of New York Mellon indicated in its Response to Writ of Execution (Dkt. 26), Judgment Creditors are indeed in the process of having the motion and related filings translated into Ukrainian for service upon Prominvestbank, which, unlike the Taliban, is the holder of the account and was not prior served with process in this matter.

Thank you for the Court's consideration. Please advise if the Court requires anything further.

Sincerely,

/s/ Orlando do Campo
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